

AB 2653
California Hate Crimes Victims Justice Act

Sponsor: Los Angeles County District Attorney

BACKGROUND

Existing law contains no provision specifically authorizing counties to form vertical prosecution units for the effective prosecution of hate crimes, nor to form countywide networks to coordinate hate crime prevention and intervention efforts undertaken by prosecutors, law enforcement, probation and parole, schools, community and faith-based groups, and organizations that represent victims of hate violence in civil proceedings.

Vertical prosecution is considered an effective means of prosecuting hate crimes because it ensures that hate crime cases are prosecuted by specially trained and specifically assigned prosecutors. Under existing law, to continue a hearing in a criminal proceeding specified procedures must be followed. Existing law makes an exception to these procedures and allows a party to make a motion for a continuance for "good cause." "Good cause" is defined as those cases involving specified crimes (stalking, child abuse, domestic violence, and career criminal) in which the prosecuting attorney assigned to the case has another trial, preliminary hearing, or motion to suppress in progress in that court or another court. Existing law permits only one continuance per case.

SPECIFIC PROVISIONS OF AB 2653

The California Hate Crimes Victim Justice Act would establish in the Office of Criminal Justice Planning a pilot program of financial assistance for counties. Specifically, this bill would require district attorneys receiving funds under this act to concentrate enhanced prosecution efforts and resources upon individuals who commit hate crimes. District attorneys receiving funds under this act would also be required to coordinate a countywide multi-agency Hate Crimes Working Group.

This bill would require the Office of Criminal Justice Planning to report to the Legislature within 2 years of the effective date of this act on the fiscal and operational status of the program. Funds would be awarded on a competitive grant basis subject to an appropriation in the Budget Act.

In addition, the bill would add hate crime to the list of "good cause" crimes that allow a district attorney to seek a one-time continuance to accommodate vertical prosecution.

If you support this legislation please send letters to:

Assembly Member Judy Chu
State Capitol, Room 5126
Sacramento, CA 95814

For more information, please contact Bill Wong at william.wong@asm.ca.gov.